



Attorneys At Law

Russ Building / 235 Montgomery Street  
San Francisco / CA 94104

T 415.954.4400 / F 415.954.4480  
www.fbm.com

JOHN L. COOPER  
jcooper@fbm.com  
D 415.954.4410

April 4, 2012

The Honorable William H. Alsup  
United States District Judge  
U.S. District Court  
Northern District of California  
450 Golden Gate Avenue  
Courtroom 9, 19th Floor  
San Francisco, CA 94102

Re: Oracle America, Inc. v. Google Inc., No. 3:10-CV-03561-WHA (N.D. Cal.)

Dear Judge Alsup:

I write on behalf of Rule 706 expert Dr. James R. Kearl to address the scheduling issue of the amount of time to be allocated in trial to his direct examination. At the hearing on March 28, 2012, the Court indicated that as much as two hours could be allocated to the direct examination of Dr. Kearl, which time would not be counted against trial time allocated to either party. (See transcript pages 142 – 143.) I have consulted with Daniel Purcell, counsel for Google, and Steven Holtzman, counsel for Oracle, who have indicated that they have no objection to two hours being allocated to direct examination of Dr. Kearl provided his direct examination is not charged against the trial time of either party. Accordingly, Dr. Kearl requests that he be allocated two hours for his direct examination at trial.

Sincerely yours,

A handwritten signature in cursive script that reads "John L. Cooper".

John L. Cooper



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JLC:br

cc: Steven Holtzman, Esq.  
Daniel Purcell, Esq.